

1 Martha G. Bronitsky  
Chapter 13 Standing Trustee  
2 Po Box 5004  
3 Hayward,CA 94540  
4

5 UNITED STATES BANKRUPTCY COURT  
6 NORTHERN DISTRICT OF CALIFORNIA  
7 OAKLAND DIVISION

8 In re

John D Flores

Chapter 13 Case No. 13-46340-WJL13

9  
10 debtor(s)

11 **Trustee's Motion and Declaration to**  
12 **Dismiss Proceedings and Notice Thereon**

13 TO DEBTOR(S) AND DEBTOR(S)' ATTORNEY OF RECORD:

14 Martha G. Bronitsky, Chapter 13 Standing Trustee hereby moves the court for an Order  
15 Dismissing these proceedings pursuant to 11 U.S.C. Section 1307(c) upon the grounds that the  
16 debtor(s) is in material default for the following reasons:

17 FAILURE TO ABIDE BY THE CONFIRMED PLAN, SECTION 5 PROVISION: 1. PURSUANT  
18 TO THE COURT'S ORDER OF MAY 30, 2014 IN THIS CASE; DEBTOR WILL OBTAIN  
19 APPROVAL OR DENIAL OF HIS REQUESTED LOAN MODIFICATION WITHIN 60  
20 MONTHS OR SUBMIT A PLAN ADDRESSING THE ARREARS ON THE DEED OF TRUST  
21 HELD BY RBS CITIZEN'S BANK.

22  
23 NOTICE IS HEREBY GIVEN that debtor or the attorney of record may request a hearing in  
24 writing stating specific grounds for objecting to the dismissal of these proceedings to the court and  
25 served on the trustee no later than twenty-one (21) days from the date of service of this motion.  
26 Trustee will then schedule a hearing date and notice debtor and the attorney of record of said  
27 hearing date.

28 I declare under penalty of perjury that the foregoing is true and correct.

1 Date: September 25, 2015

/s/ Martha G. Bronitsky

2 Signature of Martha G. Bronitsky  
3 Chapter 13 Standing Trustee

4 In re

John D Flores

debtor(s)

Chapter 13 Case No. 13-46340-WJL13

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5 CERTIFICATE OF SERVICE

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6 I HEREBY CERTIFY that I have served a copy of the within and foregoing document on the  
7 debtor (s), counsel for debtor (s), and if applicable, the creditor, creditor representatives and the  
8 registered agent for the creditor by depositing it in the United States mail with first class  
9 postage attached thereto.

10 I declare under penalty of perjury under the laws of the State of California that the foregoing is  
11 true and correct.

12 John D Flores  
13 652 Dunhill Dr  
14 Danville,CA 94506

Geoffrey Wiggs Atty  
1900 S Norfolk St #350  
San Mateo,CA 94403

(Debtor(s))

(Counsel for Debtor)

15 Date: September 25, 2015

/s/ VIVALDA SILVEIRA

16 VIVALDA SILVEIRA